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**To:** [Gary Moore/R6/USEPA/US@EPA](#)  
**Cc:** [Richard Bergner](#)  
**Subject:** schedule  
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Gary,

I just read the Agreed Order for the Resumption of Removal Work at the Falcon Refinery and realized that we are unable to meet one of the requirements of Item 2. While I'm sure we will have all activities of the Removal Action Work Plan completed by December 31, 2011 we will not have all the contents disposed of by August 1, 2011.

We have been providing updates of our activities since we resumed work at the site. The presence of 2 million gallons of rainwater was unanticipated and has caused delay in our actions. As you are aware we are filing a discharge permit with the TCEQ to properly dispose of the water.

To expedite the cleaning of the tanks we have moved liquid waste to Tank 26 and are awaiting a centrifuge to separate the solids from the liquids that remain in the tanks.

We respectfully request an extension to October 28, 2011 to complete the cleanout of the tankage.

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